

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 ORACLE USA, INC., a Colorado corporation;
4 ORACLE AMERICA, INC., a Delaware
5 corporation; and ORACLE INTERNATIONAL
CORPORATION, a California corporation,

6 Plaintiffs,

7 v.

8 RIMINI STREET, INC., a Nevada corporation;
9 AND SETH RAVIN, an individual,

10 Defendants.

Case No. 2:10-cv-0106-LRH-VCF

**STIPULATION AND
ORDER TO DISBURSE FUNDS**

11 WHEREAS on September 21, 2016, the Court entered an award of \$28,502,246.40 in
12 attorneys' fees in favor of Plaintiffs Oracle USA, Inc., Oracle America, Inc., and Oracle International
Corporation (collectively, "Oracle") (ECF No. 1049);

13 WHEREAS on October 18, 2016, the Court entered a final judgment that included the
14 attorneys' fees award (ECF No. 1076);

15 WHEREAS on October 31, 2016, Defendant Rimini Street, Inc. ("Rimini") paid Oracle the
16 judgment in full and postjudgment interest, including the \$28,502,246.40 attorneys' fees award (ECF
17 Nos. 1096, 1097);

18 WHEREAS on January 8, 2018, the Ninth Circuit partially reversed the district court's final
19 judgment and "vacate[d] the [attorneys'] fee award and remand[ed] for reconsideration" (*Oracle*
20 *USA, Inc. v. Rimini Street, Inc.*, 879 F.3d 948, 965 (9th Cir. 2018));

21 WHEREAS on March 26, 2018, Oracle filed its renewed motion for attorneys' fees (ECF No.
22 1118);

23 WHEREAS on March 29, 2018, Rimini and Oracle filed a stipulation to allow Oracle to
24 deposit the \$28,502,246.40 attorneys' fees award with the Court pursuant to Federal Rule of Civil
25 Procedure 67 (ECF No. 1123);

26 WHEREAS on April 3, 2018, the Court entered the parties' stipulation (ECF No. 1128);

27 WHEREAS on April 3, 2018, the Court issued an order stating that "Oracle is hereby
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1 authorized to deposit \$28,502,246.40 with the Court in its Registry Account, to be disbursed with
2 appropriate interest according to this Court's resolution of Oracle's renewed motion for attorneys'
3 fees. This disbursement is to occur without respect to either party's subsequent appeal from this
4 Court's decision." (ECF No. 1129 at 1);

5 WHEREAS Oracle deposited \$28,502,246.40 with the Court on May 2, 2018 (ECF Nos. 1144
6 (certificate of deposit), 1144-1 (receipt));

7 WHEREAS on August 14, 2018, the Court granted Oracle's renewed attorneys' fees motion,
8 stating that "Oracle is entitled to the same award of fees previously issued by the court. Accordingly,
9 the court shall grant Oracle \$28,502,246.40 in attorneys' fees against Rimini Street." (ECF No. 1164
10 at 17);

11 WHEREAS on August 14, 2018, the Court entered judgment against Rimini for attorneys'
12 fees in the amount of \$28,502,246.40 (ECF No. 1165);

13 THEREFORE IT IS HEREBY STIPULATED by and between the Parties that Oracle shall be
14 entitled to disbursement of \$28,502,246.40 (plus accrued interest) from the Court's Registry Account
15 (with the interest to be paid as accrued in the Registry Account, and not owed or to be paid by
16 Rimini). This stipulation in no way limits, forfeits, or diminishes Rimini's right to appeal the Court's
17 judgment awarding attorneys' fees to Oracle or Rimini's claim that it is entitled to a return of all or a
18 portion of those fees (with interest) in the event of a successful appeal.

19 **SO STIPULATED AND AGREED.**

20 DATED: August 28, 2018

GIBSON, DUNN & CRUTCHER LLP

21 By: /s/ Mark A. Perry
22 Mark A. Perry

23 Attorneys for Defendants Rimini Street, Inc. and Seth
24 Ravin

25 DATED: August 28, 2018

BOIES SCHILLER FLEXNER LLP

26 By: /s/ William Isaacson
27 William Isaacson

28 Attorneys for Plaintiffs Oracle USA, Inc., Oracle
America, Inc. And Oracle International Corporation

1 UNITED STATES DISTRICT COURT
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3 ORACLE USA, INC., a Colorado corporation;
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5 corporation; and ORACLE INTERNATIONAL
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7 v.

8 RIMINI STREET, INC., a Nevada corporation;
9 AND SETH RAVIN, an individual,

10 Defendants.

Case No. 2:10-cv-0106-LRH-PAL

ORDER TO DISBURSE FUNDS

11 IT IS HEREBY ORDERED that the Clerk of this Court shall disburse \$28,502,246.40 (plus
12 accrued interest) to Oracle from the Court's Registry Account by check payable to Oracle America,
13 Inc., with the following delivery address:

14 Julia Hirschle
15 Oracle America, Inc.
16 5525 Kietzke Lane, Suite 200
Reno, NV 89511

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18 **IT IS SO ORDERED.**

19 Dated: September 4, 2018

20 By: 

21 Hon. Larry R. Hicks
22 United States District Judge
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